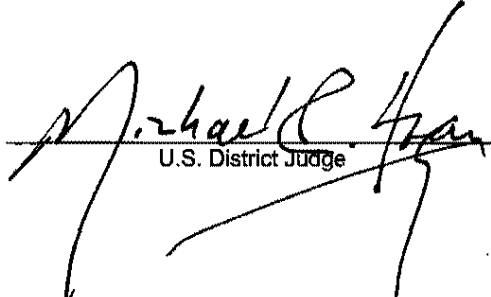


Below is a Judgment of the Court.


U.S. District Judge

Approved as to form and recommended for entry.


FRANK R. ALLEY
U.S. Bankruptcy Judge

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

11-6346-HO

In re:

Minerva B. Miller;

Debtor(s).

District Court Case No. _____

Washington Federal Savings and Loan
Association,

Plaintiff,

Bankruptcy Case No. 10-63800-fra7

Adv. Pro. No. 11-06058-fra

v.

JUDGMENT

Minerva B. Miller; Stephen P. Arnot, Trustee
of the Bankruptcy Estate of Minerva B.
Miller; Northwest Trustee Services, Inc., a
Washington corporation; JP Morgan Chase
Bank, National Association; Gene T. Flory,
Trustee of the Jacqueline M. Flory and Gene
T. Flory Living Trust; Joseph L. Perrino;
Amber M. Perrino; First Tennessee Bank
National Association; Vera Silva; Response
Mortgage Services, Inc. a Washington
corporation; RBS Citizens, National
Association; Alan Lee Lynn; Andre B.
Feliciano; Elaina T. Feliciano; Alysha Ann
Jones; Mortgage Electronic Registration

1 Systems, Inc., a Delaware corporation;
2 GMAC Mortgage, LLC, a Delaware Limited
3 Liability Company, successor by merger to
4 GMAC Mortgage Corporation; EverHome
5 Mortgage Company, a Florida corporation;
6 HSBC Mortgage Corporation (USA), a
7 Delaware corporation; and PremierWest
8 Bank, an Oregon Chartered Commercial
9 Bank,

10 Defendants.

11 The District Court, upon review of the record and the Bankruptcy Court's findings of fact
12 and conclusions of law, no timely objection having been made, adopts the Bankruptcy Court's
13 recommendations and hereby enters final judgment as follows:

14 1. IT IS DECLARED that the consequence of the execution by Washington Federal
15 Savings and Loan Association of that certain Consent Agreement to Convert Real Property to
16 Condominiums recorded in the Jackson County, Oregon, real property records as Instrument
17 Number 2004-018232 was to substitute for the original property described in that certain Deed of
18 Trust, recorded in the Jackson County, Oregon, real property records as Instrument Number 96-
19 15241 and related to the property with the street address 20 Dion Court, Shady Cove, Oregon
20 97539 (the "WFS Trust Deed"), the corresponding portions of the condominium property. The
21 WFS Trust Deed is hereby declared to have been modified as follows: The legal description
22 provided in Exhibit A to the WFS Trust Deed, which originally described "Lot 6 of Victoria
23 Court Subdivision to the City of Shady Cove, Oregon, according to the official plat thereof, now
24 of record" is deleted in its entirety and replaced with the following:

25 Units 17, 18, 19 and 20, Building F of the Victoria Court
26 Condominiums, in the City of Shady Cove, Jackson County,
Oregon, according to the official plat thereof, recorded in Volume
30, page 78, Plat Records, as set forth in Condominium
Declaration recorded December 29, 2004 as No. 2004-075174,
Official Records; together with those limited common elements
appurtenant to said Units as set forth in the Declaration; and
together with an undivided fractional ownership of the general
common elements of said Condominium as set forth in the

1 Declaration and in any subsequent amendments thereto as
2 appurtenant to said Units.

3 2. IT IS DECLARED that the consequence of the execution by Washington Mutual
4 Bank of that certain Consent Agreement to Convert Real Property to Condominiums recorded in
5 the Jackson County, Oregon, real property records as Instrument Number 2004-033493 was to
6 substitute for the original property described in that certain Deed of Trust, recorded in the
7 Jackson County, Oregon, real property records as Instrument Number 00-03481 and related to
8 the property with the street address 60 Dion Court , Shady Cove, Oregon 97539 (the "JP Trust
9 Deed 3481"), the corresponding portions of the condominium property. The JP Trust Deed 3481
10 is hereby declared to have been modified as follows: The legal description of the property in JP
11 Trust Deed 3481, which originally described "Lot Two (2) of Victoria Court Subdivision to the
12 City of Shady Cove, Oregon, according to the Official Plat Thereof, now of record," is deleted in
13 its entirety and replaced with the following:

14 Units 5, 6, 7 and 8, Building B of the Victoria Court Condominiums,
15 in the City of Shady Cove, Jackson County, Oregon, according to the
16 official plat thereof, recorded in Volume 30, page 78, Plat Records, as
17 set forth in Condominium Declaration recorded December 29, 2004 as
18 No. 2004-075174, Official Records; together with those limited
19 common elements appurtenant to said Units as set forth in the
20 Declaration; and together with an undivided fractional ownership of
21 the general common elements of said Condominium as set forth in the
22 Declaration and in any subsequent amendments thereto as appurtenant
23 to said Units.

24 3. IT IS DECLARED that the consequence of the execution by Washington Mutual
25 Bank of that certain Consent Agreement to Convert Real Property to Condominiums recorded in
26 the Jackson County, Oregon, real property records as Instrument Number 2004-033494 was to
substitute for the original property described in that certain Deed of Trust, recorded in the
Jackson County, Oregon, real property records as Instrument Number 00-03482 and related to
the property with the street address 30 Dion Court , Shady Cove, Oregon 97539 (the "JP Trust
Deed 3482"), the corresponding portions of the condominium property. The JP Trust Deed 3482

1 is hereby declared to have been modified as follows: The legal description of the property in JP
2 Trust Deed 3482, which originally described "Lot Five (5) of Victoria Court Subdivision to the
3 City of Shady Cove, Oregon, according to the Official Plat Thereof, now of record," is deleted in
4 its entirety and replaced with the following:

5 Units 13, 14, 15, and 16, Building E of the Victoria Court
6 Condominiums, in the City of Shady Cove, Jackson County, Oregon,
7 according to the official plat thereof, recorded in Volume 30, page 78,
8 Plat Records, as set forth in Condominium Declaration recorded
9 December 29, 2004 as No. 2004-075174, Official Records; together
10 with those limited common elements appurtenant to said Units as set
11 forth in the Declaration; and together with an undivided fractional
12 ownership of the general common elements of said Condominium as
13 set forth in the Declaration and in any subsequent amendments thereto
14 as appurtenant to said Units.

11 4. IT IS DECLARED that the changes set forth above are effective as of the original
12 date of recording of the Condominium Declaration recorded December 29, 2004 as Instrument
13 No. 2004-075174 in the Jackson County, Oregon, real property records.

14 5. IT IS DECLARED that the WFS Trust Deed, the JP Trust Deed 3481 and the JP
15 Trust Deed 3482, as declared amended herein, remain in full force and effect. The priority of
16 each such trust deed with respect to other encumbrances on the condominium units and the
17 undivided interests in the condominium common elements allocated to those units is the same as
18 each had on the subdivision lots originally described in those trust deeds before recording of the
19 Condominium Declaration described above.

20 6. Any enforcement of any beneficiary's rights under the WFS Trust Deed, the JP
21 Trust Deed 3481 or the JP Trust Deed 3482 shall only be taken in a manner consistent with the
22 foregoing declaratory relief.

23 7. Plaintiff shall record a copy of this Judgment in the Jackson County, Oregon real
24 property records.

25 8. Each party shall bear its own costs, disbursements, and fees

26 # # #

1 Presented by:
2 HERSHNER HUNTER, LLP

3 */s/ Patrick W. Wade*

4 By: _____
5 Patrick W. Wade, OSB 843725
6 Of Attorneys for Plaintiff
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